

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

John C. Harvey and James W. Cuddihy

Serial No. 08/446,431

Filed May 22, 1995

For **SIGNAL PROCESSING APPARATUS
AND METHODS**

Atty Dkt 5634.150

**RESPONSE TO NOTICE TO FILE MISSING PARTS
-- FILING DATE GRANTED**

ATTENTION: BOX MISSING PART

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

In response to the enclosed PTO-1533, **Notice to File Missing Parts of Application -- Filing Date Granted**, dated July 19, 1995, Applicants herewith submit the following:

- [X] Copy of PTO-1533; and
- [X] Small Entity Declaration, as filed in the parent case, application serial number 08/113,329, filed August 30, 1993.

REMARKS

Please accord small entity status for the above-referenced patent application. Small entity status was properly established in the parent case, application serial number 08/113,329, filed August 30, 1993, and the instant patent application had small entity status at the applications' filing date. Therefore, pursuant to 37 C.F.R. § 1.9(d),

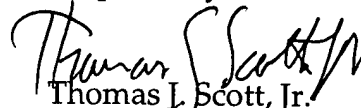
the instant application qualifies for small entity. The application was accompanied by a check in the amount of \$365.00 to cover the filing fee as a small entity. A copy of the Verified Statement Claiming Small Entity Status for a Small Business Concern from the parent case is submitted herewith. Applicants respectfully request that the surcharge be waived.

The Commissioner is hereby authorized to credit Deposit Account No. 08-3038 any amounts charged to this Account in connection with the filing of the instant application. *This sheet is submitted in triplicate.*

Date: August 21, 1995

HOWREY & SIMON
1299 Pennsylvania Avenue, NW
Washington, D.C. 20004
Tel: (202) 783-0800

Respectfully submitted,


Thomas J. Scott, Jr.
Registration No. 27,836
Attorney for Applicants



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
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08/446,431 05/22/95 HARVEY J 5634.150

0262/0719

THOMAS J SCOTT JR
HOWREY AND SIMON
1299 PENNSYLVANIA AVENUE NW
WASHINGTON DC 20004

DATE MAILED: 0000

**NOTICE TO FILE MISSING PARTS OF APPLICATION 07/19/95
FILING DATE GRANTED**

An Application Number and Filing Date have been assigned to this application. However, the items indicated below are missing. The required items and fees identified below must be timely submitted **ALONG WITH THE PAYMENT OF A SURCHARGE** for items 1 and 3-6 only of \$ 130 for large entities or \$ 65 for small entities who have filed a verified statement claiming such status. The surcharge is set forth in 37 CFR 1.16(e).

If all required items on this form are filed within the period set below, the total amount owed by applicant as a ☒ large entity, ☐ small entity (verified statement filed), is \$ 495.

Applicant is given **ONE MONTH FROM THE DATE OF THIS LETTER, OR TWO MONTHS FROM THE FILING DATE** of this application, **WHICHEVER IS LATER**, within which to file all required items and pay any fees required above to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

1. ☒ The statutory basic filing fee is: ☐ missing ☒ insufficient. Applicant as a ☒ large entity ☐ small entity, must submit \$ 365 to complete the basic filing fee.

2. ☐ Additional claim fees of \$ _____ as a ☐ large entity, ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

3. ☐ The oath or declaration:

☐ is missing.

☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date is required.

4. ☐ The oath or declaration does not identify the application to which it applies. An oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

5. ☐ The signature(s) to the oath or declaration is/are: ☐ missing; ☐ by a person other than the inventor or a person qualified under 37 CFR 1.42, 1.43, or 1.47. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

6. ☐ The signature of the following joint inventor(s) is missing from the oath or declaration:

_____ An oath or declaration listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

7. ☐ The application was filed in a language other than English. Applicant must file a verified English translation of the application and a fee of \$ _____ under 37 CFR 1.17(k), unless this fee has already been paid.

8. ☐ A \$ _____ processing fee is required since your check was returned without payment. (37 CFR 1.21(m)).

9. ☐ Your filing receipt was mailed in error because your check was returned without payment.

10. ☐ The application does not comply with the Sequence Rules. See attached Notice to Comply with Sequence Rules 37 CFR 1.821-1.825.

11. ☒ Other.

Insufficient funds in acct # 08-3038

Direct the response to Box Missing Part and refer any questions to the Customer Service Center at (703) 308-1202.

A copy of this notice MUST be returned with the response.